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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/783,610	02/19/2004	Vladek Kasperchik	10004809-1	1622
22879 7590 06/19/2008 HEWLETT PACKARD COMPANY P O BOX 272400, 3404 E. HARMONY ROAD INTELLECTUAL PROPERTY ADMINISTRATION FORT COLLINS, CO 80527-2400				
EXAMINER				
SHEWAREGED, BETTELHEIM				
ART UNIT		PAPER NUMBER		
1794				
NOTIFICATION DATE		DELIVERY MODE		
06/19/2008		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

10/783,610

Applicant(s)

KASPERCHIK ET AL.

Examiner

Betelhem Shewareged

Art Unit

1794

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 19 May 2008 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: 1-5,7-14 and 36-49.
Claim(s) withdrawn from consideration: 15-35.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.
13. ☐ Other: _____.

/Betelhem Shewareged/
Primary Examiner, Art Unit 1794.

Continuation of 11. does NOT place the application in condition for allowance because:

CLAIMS 1-5, 7-13 and 49:

Claim 1 recited "----an additive configured for one of light stabilization, liquid resistance, or vapor resistance". The limitation "configured for one of light stabilization, liquid resistance, or vapor resistance" is drawn to intended use, and it has been held that a recitation with respect to the manner in which a claimed article is intended to be employed does not differentiate the claimed article from a prior art article satisfying the claimed structural limitations. Ex parte Masham, 2 USPQ2d 1647 (1987). The claimed invention does not expressly recite a light stabilizer additive, a liquid resistant additive or a vapor resistant additive. Neither does the claimed invention expressly recite a specific light stabilization value, a specific light resistance value or a specific vapor resistance value. The claimed invention broadly recites the addition of an additive in at least one of the layers; and Otaki teaches the addition of a colorant in at least the transparent film 203. The colorant of Otaki meets the claimed the claimed additive.

Alternatively, it is established that a colorant absorbs light, and light has a certain wavelength. It is also established that different colorants absorb light having different wavelength. Thus the colorant of Otaki is capable of absorbing light having a certain wavelength, and by absorbing the light having certain wavelength the product is protected from long-term degradation from exposure to light. However, if Applicant believes that the colorant of Otaki does not absorb light whatsoever, Applicant is advised to provide factual evidence.

CLAIM 14

Even though the metal hologram of Coates is provided via sputtering and vacuum depositing, there is nothing that suggests or teaches the layer is not self supporting after it has been formed. It is noted that the type of metal of Coates is substantially identical to the type of metal of the claimed invention, and the thickness of the metal hologram of Coates is within the thickness of the claimed invention; therefore, the reference provides enough evidence to conclude that after the metal hologram of Coates is formed, a metal foil would be created. The process by which the metal layer of Coates is formed does not show that a metal foil would not be created because the thickness of the metal hologram of Coates is within the thickness of the claimed invention and the type of metal of Coates is substantially identical to the type of metal of the claimed invention.

CLAIMS 36-48

In col. 2, lines 5-15 of Coates, there is nothing that teaches the metal layer is embossed. In col. 2, lines 16-26 of Coates, the metal layer is embossed. However, the method disclosed in col. 2, lines 5-15 of Coates and the method disclosed in col. 2, lines 16-26 of Coates are directed to different embodiments of the invention of Coates. One does not teach embossing step, and the other teaches embossing step.